

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6632**

**BILL NUMBER:** HB 1070

**NOTE PREPARED:** Dec 14, 2006

**BILL AMENDED:**

**SUBJECT:** Forced Use of Internal Identification Device.

**FIRST AUTHOR:** Rep. Crooks

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill has the following provisions:

- A. It prohibits a governmental entity from requiring a person to use or have implanted a subcutaneous identification device.
- B. It prohibits a person from requiring an individual to use or have implanted a subcutaneous identification device as a condition of employment, insurance, medical treatment, receiving a service, or doing business with the person.
- C. It authorizes an individual to bring an action to enforce these provisions. It permits a prevailing plaintiff to receive: (1) the greater of actual damages or an award of up to \$10,000; and (2) reasonable attorney's fees.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** This bill would basically prohibit state and local governments from requiring a person to have an implant for identification purposes.

**Explanation of State Revenues:** *Court Fee Revenue:* If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*.

**Explanation of Local Revenues:** *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, city and town courts.

**Information Sources:**

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.